

# Regular Meeting

<b>Agenda Item #</b>	6
<b>Meeting Date</b>	24 October 2005
<b>Prepared By</b>	Sara Anne Daines HCD Director
<b>Approved By</b>	Barbara B. Matthews City Manager

Discussion Item	Second Reading Ordinance Authorizing Contract for Capacity Building Initiative												
Background	<p>On September 22, 2003, the Council authorized by Ordinance 2003-36, the execution of a contract with Ms. Rozanne Look and Mr. Mario Cristaldo for services required of the City’s Capacity Building Initiative. The contract was extended for one year, as permitted under the Ordinance, and is to expire October 27, 2005.</p> <p>Given the level of involvement of Ms. Look and Mr. Cristaldo in several ongoing projects, most notably the efforts of the Hampshire Towers Tenant Association to purchase 7333/7401 New Hampshire Avenue, Staff is recommending that Ms. Look and Mr. Cristaldo be considered sole source providers and the existing contract be renewed without competitive bidding as permitted by City Code.</p> <p>Ms. Look and Mr. Cristaldo have indicated that, if the contract is renewed, they would continue to provide their services under the same terms and conditions as established by the original contract.</p> <p>The Council approved the first reading of the Ordinance on October 10, 2005.</p>												
Policy	A contract may be awarded for a service without the requirement of competitive bidding when the City Manager determines that there is only one available source and notifies the Council. (City Code 7.08.070(D) Sole Source Procurement).												
Fiscal Impact	<p>The proposed contract would extend over two fiscal years (FY06 and FY07)</p> <table><tr><td>Approved FY06 Budget:</td><td>\$ 42,800</td><td>(Fund #5800-6140)</td></tr><tr><td>Available Balance:</td><td>\$ 20,922</td><td></td></tr></table> <table><tr><td>Current Contract Amount:</td><td>\$ 30,000</td><td>(October 27, 2004 - October 27, 2005)</td></tr><tr><td>Proposed Contract Amount:</td><td>\$ 30,000</td><td>(October 28, 2005 - October 27, 2006)</td></tr></table> <p>Additional funding required in FY07 would be budgeted, subject to Council review and approval. In the event the funds were not approved, the contract would be terminated.</p>	Approved FY06 Budget:	\$ 42,800	(Fund #5800-6140)	Available Balance:	\$ 20,922		Current Contract Amount:	\$ 30,000	(October 27, 2004 - October 27, 2005)	Proposed Contract Amount:	\$ 30,000	(October 28, 2005 - October 27, 2006)
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Attachments	<ul style="list-style-type: none"><li>• Ordinance Authorizing the Execution of a Contract for Services</li><li>• Memo Regarding Sole Source Procurement Determination</li></ul>												
Recommendation	To approve the second reading of an ordinance authorizing the execution of the proposed contract for services in furtherance of the Capacity Building Initiative.												

Introduced by:

First Reading:

October 10, 2005

Second Reading:

ORDINANCE NO. 2005-35

**AN ORDINANCE AUTHORIZING EXECUTION OF CONTRACT FOR SERVICES  
FOR CAPACITY BUILDING INITIATIVE**

**WHEREAS,** by Ordinance No. 2003-36, the Council authorized the execution of a twelve-month contract with Ms. Rozanne Look and Mr. Mario Cristaldo for services required under the City's Capacity Building Initiative; and

**WHEREAS,** such contract, renewed for one additional twelve-month period as authorized by said ordinance, expires on October 27, 2005; and

**WHEREAS,** the City Manager, having reviewed the services provided by Ms. Look and Mr. Cristaldo and considered the level of services required of several ongoing Capacity Building Initiatives, has found them to be sole source providers as defined by City Code Chapter 7.08.070(D) and exempt from the City's competitive bidding process; and

**WHEREAS,** funding for such services has been set aside in the Housing and Community Development Department's FY06 budget, and will be budgeted in FY07, which will allow for the renewal of said contract under the same terms and conditions as set forth in the initial agreement.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
TAKOMA PARK, MARYLAND**

**SECTION 1.** The City Manager is hereby authorized to enter into a twelve-month contract with Ms. Rozanne Look and Mr. Mario Cristaldo for services required of the Capacity Building Initiative in an amount not to exceed thirty thousand dollars (\$30,000.00).

**SECTION 2.** The City Manager is further authorized to renew, as appropriate, such contract for up to three additional one year terms.

Adopted this \_\_\_\_ day of \_\_\_\_\_ 2005.

Ayes:

Nays:

Abstain:

Absent:

# Memo

To: City Council  
From: Barbara B. Matthews, City Manager  
Date: October 7, 2005  
Re: Sole Source Procurement

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Section 7.08.070 (D) of the Code of the City of Takoma Park allows a contract to be awarded for a good, service, or construction item without competitive bidding if the City Manager determines that there is only one available source for the good, service, or construction item or if a specific manufacturer's produce is required to ensure compatibility. After careful research and consideration, I believe that the contract for services with Ms. Rozanne Look and Mr. Mario Cristaldo, recommended by the HCD staff for the continuation of the Capacity Building Initiative meets this criterion.

The basis of my determination is outlined below:

- The City of Takoma Park's Capacity Building Initiative is a unique program designed to increase the organizational capacity of new and established tenant organizations and to assist them in purchasing their rental facilities as they become available. The technical, legal and organizing skills required of the program are highly specialized. Ms. Look, an attorney and affordable housing developer, experienced in overseeing condominium conversions in both DC and Maryland, and Mr. Cristaldo, a seasoned community organizer, offer the unique skills needed by the City. They have worked in the community since 2003 and are familiar with the legal requirements of our local ordinances as well as the goals and objectives of the program.
- The City is working with the tenants of 4 rental properties (511 units) who are interested in pursuing their rights to acquire the property under the Tenant Opportunity to Purchase law (641 Houston Avenue – 20 units; New Hampshire Towers – 451 Units; 7219 Flower Avenue – 12 units; and 1001-1005 University Blvd – 20 units). Ms. Look and Mr. Cristaldo have been actively involved with the tenants at each property and have developed a positive working relationship with each. Given the tight deadlines established by the ordinance, the complexity of converting rental property to condominiums, and the importance of personal relationships in this process, it would be detrimental to the program if these projects were reassigned to another service provider.
- Past efforts to secure the services of a firm or individual(s) to provide the services required by the program have been unproductive with the costs exceeding the City's available resources and proposals that only addressed a small portion of the services needed.